

**REMARKS**

1. Claims 1-4 and 7-12 are pending in the application. Of these claims, claims 1-4 and 7-10 stand rejected and claims 11 and 12 stand allowed. This reply amends claims 1, 2, 8 and 9.
2. Claims 1-4 and 7-8 stand rejected under 35 USC §103 as being unpatentable over U.S. Patent 5,182,091 to Yuge et al. (Yuge) in view of DE 29 24 584 (the '584 reference).

This rejection is traversed as Yuge in view of the '584 reference fail to arrive at the present invention. Specifically, Yuge in view of the '584 reference fail to teach or suggest "a cold crucible" as called for in claims 1-4 and 7-8.

With regard to this feature, the Examiner relies on Yuge for the teaching of a cold crucible:

In the references, there is no disclosure of preheating the crucible; therefore, it is reasonably assumed that the crucible is "cold", i.e., not preheated. ...Yuge '091 does disclose a container (i.e., crucible) lined with silica, however, there is disclosure of preheating the container before receiving the silicon. It should note that the instant claims do not exclude the presence of the inductive heating means (4) as shown in Figure 1 of Yuge '091 (note induction coil 12 in Figure 1 of the instant application).

It is respectfully submitted that the Examiner does not recognize the meaning of the term "cold crucible." A cold crucible is not a crucible that is preheated as suggested by the Examiner. Cold crucibles are old and well known, and enable "skull" melting of highly refractory materials by inductive heating the material in a manner that maintains the molten material in a shell of the material which is cool enough to act as a crucible. See, for example, U.S. Patent No. 4,049,384 entitled, COLD CRUCIBLE SYSTEM, which issued on September 20, 1977. The present application clearly describes this on page 5, lines 10-16:

The use of a cold inductive crucible has several purposes. First, this has the advantage of not contaminating the liquid, which is maintained in a skull, that is, a solid silicon skin (not shown) coats the inside of the crucible and contains the liquid silicon. Thus, the liquid silicon does not risk being contaminated by the material constitutive of walls 11 of the actual crucible, or of an intermediary wall as in know methods.

As is also old and well known, a cold crucible includes a wall that is cooled with a coolant, such as water. *Id.*, U.S. Patent No. 4,049,384.

In contrast, Yuge discloses a quartz crucible 2 with a heat insulating lining 3. In fact, Yuges teaches away from a cold crucible because Yuge uses the heat insulating lining to retain the heat in the wall of the crucible, instead of a coolant to pull the heat away from the wall of the crucible to keep it cool, as per the claimed cold crucible.

Additionally, the claims previously required turbulent stirring of the silicon melt, which the Examiner contends is taught by Yuge. However, there is nothing in Yuge or the '584 reference that teaches or suggests turbulent stirring. Yuge in view of the '584 reference merely teach stirring of the molten silicon, not "turbulent stirring of the silicon melt (b) by bringing the liquid from the bottom of the crucible to the free surface by ascending along the central axis of the crucible" as was required in the claims. Turbulent stirring of the silicon melt is accomplished in the present invention by supplying the coil of the cold crucible with an A.C. voltage.

Therefore, to further distinguish over Yuge in view of the '584 reference, claim 1 now recites:

the cold crucible having a coil supplied by an A.C. voltage...turbulently stirring the silicon melt (b) with the coil by bringing the liquid from the bottom of the crucible to the free surface by ascending along the central axis of the crucible.... .

It should be apparent now that Yuge in view of the '584 reference clearly fail to teach or suggest the subject matter of claims 1-4 and 7-8. Accordingly, withdrawal of this rejection is respectfully urged.

3. Claims 9-10 stand rejected under 35 USC 103(a) as being unpatentable over Yuge in view of the '584 reference and U.S. Patent 4,048,436 to Hiratake et al. (Hiratake).

This rejection is traversed as Yuge in view of the '584 reference and Hiratake fail to arrive at the present invention. First, Yuge in view of the '584 reference and Hiratake fail to teach or suggest "a cold crucible" as called for in claims 9-10. As discussed above, Yuge discloses a quartz crucible 2 with a heat insulating lining 3 that retains the heat in the wall of the crucible and, therefore, teaches away from the claimed cold crucible, which uses a coolant to pull the heat away from the wall of the crucible to keep it cool.

Second, claims 9 and 10 require "a removable magnetic yoke (3) between the plasma torch (2) and the crucible (1)." The Examiner relies upon Hiratake for the removable magnetic

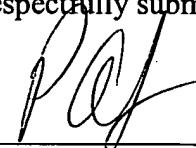
yoke. However, Hiratake does not disclose, teach or suggest that the rotating magnetic field generating means 44e is removable, as required in the claims 9 and 10. Hiratake also does not disclose, teach or suggest "inverting a stirring direction of the silicon load" as required by claims 9 and 10, because the rotating magnetic field generating means 44e of Hiratake is not removable.

It should be apparent now that Yuge in view of the '584 reference and Hiratake clearly fail to teach or suggest the subject matter of claims 9 and 10. Accordingly, withdrawal of this rejection is respectfully urged.

4. Favorable reconsideration of this application is respectfully requested as it is believed that all outstanding issues have been addressed herein and, further, that claims 1-4 and 7-12 are in condition for allowance, early notification of which is earnestly solicited. Should there be any questions or matters whose resolution may be advanced by a telephone call, the examiner is cordially invited to contact applicants' undersigned attorney at his number listed below.

5. The Commissioner is hereby authorized to charge payment of any filing fees required under 37 CFR 1.16 and any patent application processing fees under 37 CFR 1.17, which are associated with this communication, or credit any overpayment to Deposit Account No. 50-2061.

Respectfully submitted,

  
PAUL A. SCHWARZ  
PTO Reg. No. 37,577

May 20, 2005

Duane Morris LLP  
P.O. Box 5203  
Princeton, NJ 08543-5203  
(609) 631-2446 (phone)  
(609) 631-2401 (fax)